



Testimony
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*Review the Administration's proposed legislation
creating a
Department of Homeland Security*

Committee on Agriculture
United States House of Representatives

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Introduction

Good morning, Mr. Chairman and Members of the Committee. My name is Robert Guenther and I currently serve as Vice President of Government and Public Affairs for United Fresh Fruit and Vegetable Association. United is the national trade organization that represents the interests of growers, shippers, processors, brokers, wholesalers and distributors of produce, working together with their customers at retail and foodservice, and suppliers at every step in the distribution chain. On behalf of United's industry members, we appreciate the opportunity to appear before the Committee to provide input on the proposal to relocate the Animal Plant, Health and Inspection Service to the proposed Department of Homeland Security.

I also come before you on behalf of the Plant Safeguarding Alliance. The Plant Safeguarding Alliance facilitates cooperative action and communication among private sector organizations that have an interest in advocating the safeguarding of U.S. plant-based industries from invasive pests and diseases. Since its inception, the alliance has engaged in a broad range of issues and policies designed to improve the safeguarding system of plant-based industries, including enactment of the *Plant Protection Act* and implementation of the *Safeguarding American Plant Resources* report.

APHIS is critically important for all the organizations United and the Plant Safeguarding Alliance represent and an agency on which the fruit vegetable and horticulture industries rely for a variety of functions. These functions include trade facilitation; pest exclusion; detection and response; and domestic pest management. We believe the success that American agriculture has enjoyed in terms of controlling and eliminating domestic pests and safeguarding the United States from the introduction of foreign pests is unprecedented in the entire world. Indeed the relationship between our industries and APHIS has been cooperative and effective.

APHIS Moving Forward

Until 1999, responsibility for preventing entry of invasive plant pests into the United States has been delegated to APHIS-PPQ by the Congress through 11 separate Acts dating back to 1912. These laws provided the framework for ensuring orderly movement of agriculture products, commodities, and passengers across U.S. borders. Although Congress had provided

APHIS-PPQ with the mandate for safeguarding activities, the system relied on collaboration with other USDA agencies, as well as several Federal agencies, state and local departments of agriculture, academia, environmental organizations and industry.

In response to the quagmire of laws and recent outbreaks of pests and disease such as the Asian Longhorned beetle, citrus canker, plum pox virus, and Mexican fruit fly, the fruit and vegetable industry strongly supported the passage of H.R. 2559, *the Plant Protection Act in June of 2000*. This law aided in the consolidation and focus APHIS authorities under one law to empower the agency to carry out its mission of protecting plant resources.

Additionally, the produce and horticulture industries represented by the Plant Safeguarding Alliance were actively involved in the development of over 300 recommendations developed by the National Plant Board in collaboration with public and private stakeholders to safeguard U.S. resources from invasive pests and disease. *The Plant Safeguarding Review* gave the agency top to bottom review of how it can improve to meet increasing expectations from the private sector with regards to plant safeguarding responsibilities.

Consequently, with the passage of the *Plant Protection Act* and the current implementation of the *Plant Safeguarding Review* recommendations, APHIS is well on its way to ensuring that plant agriculture industries continue to be competitive in the global marketplace, providing security for the domestic homeland, and protection for the plant based agriculture industry.

Transfer of APHIS to New Department Homeland Security

Given the events of September 11, it is appropriate for the federal government in partnership with states and the private sector to focus resources on adapting the current infrastructure to the scope of the ongoing threat at hand. It is the intention of organizations before you today to work with the Congress and the Administration to ensure that we have in place the proper safeguards to protect the public from threats of terrorism either foreign or domestic. Members of United and the Plant Safeguarding Alliance understand the need and rationale behind formation of the Department of Homeland Security to protect the nation's

resources, economy, and citizens against the harm that terrorist attacks can cause. The consolidation and incorporation of certain existing security agencies and functions into the new Department seems logical. Anti-terrorism efforts must be focused and well coordinated. However the industry remains concerned and questions that such a move will fundamentally jeopardize delivery of inspection services critical to the safeguarding mission. It would be particularly disruptive at a time when APHIS has made two years of *Safeguarding Review* implementation progress to modernize and augment the safeguarding system. In addition, we must insure that the federal governments cannot diminish our vigilance to traditional pests that threaten domestic fruit, vegetable and horticultural production and that facilitate international trade in those products.

One critical concern of the fruit and vegetable industry would be the transfer of APHIS to the new Department of Homeland Security, where anti-terrorism would be the top priority, while agricultural and environmental protection concerns would take a back seat. We fear that if this would be the case the result would be an ineffectual agency delivery of its plant-safeguarding mission.

The produce industry and Plant Safeguarding members fully support functional linkages between APHIS activities and the Department of Homeland Security. Appropriate and effective action to prevent or mitigate terrorist attacks does require real-time access to and proper analysis of all relevant information, including APHIS data that might reveal a deliberate attack on our food system. So, those linkages must include the collection, processing and sharing of data in ways that meet multiple purposes; the cross-training of APHIS inspectors so that they can be appropriately aware of and contributory toward anti-terrorism activities; and, coordination of presence and activities to maximize synergies. Such coordination should and must happen without sacrificing efficient and effective performance of the APHIS/PPQ plant safeguarding and trade facilitation responsibilities. We believe that thoughtful and measured consideration of the various proposals to strengthen homeland security will produce an outcome that strengthens existing programs while adding or modifying responsibilities as appropriate.

Conclusion

The fruit, vegetable and horticulture industries would like to appear before you today in a position to provide clear and unequivocal direction to the Committee as to the changes if any to APHIS that may be necessary. Unfortunately, like many organizations that have been before the Committee today we remain with more questions than answers.

We have been working both within our industries and with other aspects in agriculture that depend on APHIS to analyze the impacts of locating APHIS within a extraordinarily large and exclusively security focused department. Working with these groups we have developed a series of questions that we need to have answered as completely as possible prior to making any complete determination as to the proper course of action. In addition the groups we represent today have provided additional questions specific to the industries we represent.

Attached to our testimony today is a copy of those questions. We encourage the Committee to help us pursue answers to these critical questions. We believe that only at that point will policy makers within the Congress and the Administration have the information necessary to continue this process.

We look forward to working with the Committee and the Administration to make the appropriate changes to the infrastructure to safeguard the homeland. We share with the Congress and the Administration the obligation to do every thing within our power to safeguard our domestic agricultural and horticultural production and to continue to provide our fellow Americans safe and abundant agricultural products.

Thank you again for allowing us to appear before you today.